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OFFICE OF PETITIONS

In re Patent No. 6942961 :
Issue Date: 09/13/2005 :
Application No. 10/049923 : LETTER
Filing or 371(c) Date: 04/24/2002 :
Attorney Docket No. MFA-14402/04 :

This is in response to the letter concerning acceptance of a fee deficiency submission under 37 CFR 1.28 filed on March 19, 2009.

The letter is not properly signed.

37 CFR 1.33(b) requires that amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

- (1) A patent practitioner of record appointed in compliance with § 1.32(b);
- (2) A patent practitioner not of record who acts in a representative capacity under the provisions of § 1.34;
- (3) An assignee as provided for under § 3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

The letter does not appear to be signed by a proper party in accordance with 37 CFR 1.33. Further, if the paper is to be signed by an assignee in accordance with 37 CFR 3.71(b), a statement in compliance with 37 CFR 3.73(b) must be filed that is signed by a party who is authorized to act on behalf of the assignee. No such statement has been filed.

Any papers filed in the USPTO, including a fee deficiency submission under 37 CFR 1.28, must be signed in accordance with 37 CFR 1.33(b). Accordingly, it is recommended that patentees submit a properly signed request under 37 CFR 1.28.

The Office acknowledges receipt of payment of \$490.00.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition

Patent No. 6,942,961
Application No. 10/049923

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By FAX: (571)273-8300
Attn: Office of Petitions

By hand: Customer Service Window
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Alexandria, VA 22314

Inquiries related to this communication should be directed to the undersigned at (571) 272-3231.



Douglas I. Wood
Attorney
Office of Petitions